IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 500/2007
JAGDISH Vs. SMT. NEHA & ANR.

DATE: 31.05.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Kamlendra Sihag for
Mr. Biri Singh Sinsinwar for the petitioner.

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This criminal revision petition under Section 397 r/w Section 401 Cr.P.C. is directed against the order dated 18.04.2007 passed by the Additional Civil Judge (Jr. Division) & Judicial Magistrate Ist Class No.4, Alwar in Criminal Case No. 1/89/2006, whereby the application filed by the respondents for interim maintenance has been partly allowed and interim maintenance @ Rs. 700/- per month has been granted in favour of the respondent No.1 Smt. Neha, the wife of the petitioner and Rs. 300/- per month in favour of the respondent No.2 Shubham, minor son of the petitioner, totaling to Rs. 1,000/- per month from the date of filing of the application i.e. 29.03.2005.

Learned counsel for the petitioner prayed that the interim maintenance awarded to the respondents by the Court below should be awarded from date of passing of the order i.e. 18.04.2007.

Having considered the submissions made by the learned counsel for the petitioner and looking to the facts and circumstances of the case, in the interest of justice, I deem it proper to modify the impugned order dated 18.04.2007 passed by the Court below to the extent that the order of interim maintenance will be effective from the date of passing of the order i.e. 18.04.2007 and not from the date of filing of the application i.e. 29.03.2005.

Accordingly, the impugned order dated 18.04.2007 passed by the Additional Civil Judge (Jr. Division) & Judicial Magistrate First Class No.4, Alwar is modified as indicated herein above and the revision petition stands disposed of.

(K.S. RATHORE),J.

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